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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,136	10/11/2000	Fredrik Malmer	HYPE-001/01US	5756

22903 7590 09/02/2004

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EXAMINER

PHAN, TAM T

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 09/02/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

OK

Office Action Summary

Application No.

09/686,136

Applicant(s)

MALMER ET AL.

Examiner

Tam (Jenny) Phan

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-69 is/are rejected.
- 7) ☒ Claim(s) 60 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined. Pre-amendment A received on 11/06/2000 has been entered. Claims 1-69 are presented for examination.

Priority

2. This application claims benefit of the provisional application 60/186,304 (03/01/2000 [March 01, 2000]).

3. The effective filing date for the subject matter defined in the pending claims which has support in parent 60/186,304 in this application is 03/01/2000. Any new subject matter defined in the claims not previously disclosed in parent 60/186,304, is entitled to the effective filing date of 10/11/2000.

Claim Objections

4. Claim 60 is objected to because of the following informalities: "a library manager,;" should read "a library manager;". Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loomans (U.S. Patent Number 6,393,605) in view of Herrmann (U.S. Patent Number 5,995,756).

7. Regarding claim 1, Loomans disclosed a method for executing a web-based application within a web browser wherein the application operates independent of both the client platform

and the browser program, comprising: loading a top-level page, said top-level page referencing a first component file; loading said first component file wherein said first component file includes an application program interface (API) component; loading a second component file, wherein said second component file references said application program interface component; and executing said application program interface component referenced by said second component file (Abstract, Figures 2, 6, column 5 lines 9-55, column 7 lines 3-21, column 7 lines 59-65, column 8 line 62-column 9 line 12).

8. Loomans taught the invention substantially as claimed. However, Loomans did not expressly teach referencing a library file. Loomans suggested exploration of art and/or provided a reason to modify the method for executing a web-based application with the library file feature (column 2 lines 23-38).

9. Herrmann disclosed a method for executing a web-based application wherein the pages are referencing library files that include API components (Figures 2, 4A-5, column 5 lines 38-56, column 8 lines 11-24).

10. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Loomans with the teachings of Herrmann to include the library file feature in order to provide flexibility since library files include previously-compiled standard routines (Herrmann, column 5 lines 47-56) that could be referenced and invoked as required (Figure2).

11. Regarding claim 2, Loomans disclosed a method wherein said top level page provides an execution context for said first component [library] file and for said second component [library] file (Figure 6, column 5 lines 32-51, column 7 lines 40-51).

Art Unit: 2144

12. Regarding claim 3, Loomans disclosed a method wherein said top-level page includes a kernel's thread manager [library manager] for loading library files (column 5 lines 45-51).

13. Regarding claims 4 and 7, Loomans disclosed a method wherein said means for enabling the computer system to load library files further comprises means for enabling the computer system to load library files into a new context within said top level page (Figure 6, column 5 lines 32-55, column 7 lines 40-51, column 8 line 62-column 9 line 12).

14. Regarding claims 5 and 8, Herrmanns disclosed a method wherein said new context is an Internet Explorer frame [iframe] (column 4 lines 9-16, column 7 lines 49-60). Note: IFRAME has been part of the HTML specification since version 4 and is supported in nearly all modern browsers.

15. Regarding claims 6 and 9, Loomans disclosed a method wherein said new context is a layer (column 8 lines 4-14).

16. Regarding claims 10 and 11, Loomans disclosed a method further comprising means for enabling the computer system to load sub-component [sub-library] files in response to a reference to said sub-component [sub-library] in said first and second sub-component [library files] (Figure 6, column 5 lines 32-55, column 7 lines 3-21, column 8 line 62-column 9 line 12).

17. Regarding claim 12, Loomans disclosed a method wherein said second component [library] file is loaded in response to user interaction with the browser (column 8 line 62-column 9 line 12).

18. Regarding claims 20-31, the computer program product corresponds directly to the method of claims 1-12, and thus these claims are rejected using the same rationale.

19. Regarding claim 13, Loomans and Herrmann disclosed a method for implementing a web based application program interface, comprising: loading a top level page into a web browser,

said top level page adapted to be processed by the web browser; receiving a request to load a first library file, said first library file including an application program interface component; determining if said first library file has been loaded; loading, said first library file into a new context in said top level page if said first library file has not been loaded; determining if said first library file references a second library file; determining if said second library file has been loaded; and loading said second library file into a new context in said top level page if said second library file has not been loaded (Loomans, Abstract, Figures 2, 6, column 5 lines 1-31, column 7 lines 3-21, column 7 lines 59-65, column 8 line 62-column 9 line 12; Herrmann, Figures 2, 4A-5, column 5 lines 38-56, column 8 lines 11-24).

20. Regarding claims 14-16, and 18-19, the limitation of these claims are similar to limitation of claims 2-3, 5-6, and 12, and thus these claims are rejected using the same rationale.

21. Regarding claim 17, Loomans disclosed wherein said request is generated by a web-based application executing in the web browser (Abstract, Figure 6, column 5 lines 1-31).

22. Regarding claim 32, the limitation of the computer program product of claim 32 is similar to the limitation of the method of claim 1 and the computer program product of claim 20, and thus is rejected using the same rationale.

23. Regarding claims 33-39, the computer program product corresponds directly to the method of claims 13-19, and thus these claims are rejected using the same rationale.

24. Regarding claim 40, Loomans and Herrmann combined disclose method for enabling the execution of a web based application within a browser, the method comprising; receiving a first request for a top level page from a client, said top level page including a reference to a first library file; transmitting said top level page to said client; transmitting said first library file to said client, wherein said first library file includes an application program interface component;

receiving a second request for a second library file from said client, said second library file including a reference to said application program interface component; and transmitting said second library file to said client (Loomans, Abstract, Figures 2, 6, column 5 lines 1-31, column 7 lines 3-21, column 8 line 49-column 9 line 12; Herrmann, Figures 2, 4A-5, column 5 lines 38-56, column 8 lines 11-24).

25. Regarding claims 41-46, 50-57, and 61-66, the limitation of these claims are similar to limitation of claims 2-9, and thus these claims are rejected using the same rationale.

26. Regarding claims 47, 58, and 67, Herrmann disclosed a method wherein said first library file is transmitted from a first server and said second library file is transmitted from a second server (Figures 2, 5, column 3 lines 48-64, column 9 lines 56-65).

27. Regarding claim 49, Loomans and Herrmann combined disclose a method for enabling the execution of a web based application within a browser, the method comprising: receiving a first request from a client, said first request identifying a first library file, said first library tile including a reference to an application program interface component; transmitting said first library file to said client; receiving a second request from said client, said second request identifying a second library file, said second library file including an implementation of said application program interface component; and transmitting said second library file to said client (Loomans, Abstract, Figures 2, 6, column 5 lines 1-31, column 7 lines 3-21, column 8 line 49-column 9 line 12; Herrmann, Figures 2, 4A-5, column 5 lines 38-56, column 8 lines 11-24).

28. Regarding claims 48, 59, and 68, Loomans disclosed a method wherein said reference to said application program interface component is an API call [import statement] (column 5 lines 32-55, column 7 lines 59-column 8 lines 14).

29. Regarding claim 60, Loomans and Herrmann combined disclose method for enabling the execution of a web based application within a browser, the method comprising: transmitting a top level page to a client, said top level page including a library manager; receiving a request from said client for a first library file, said first library file adapted to be loaded into said top level page; and transmitting said first library file to said client (Loomans, Abstract, Figures 2, 6, column 5 lines 1-31, column 7 lines 3-21, lines 59-65, column 8 line 62-column 9 line 12; Herrmann, Figures 2, 4A-5, column 5 lines 38-56, column 8 lines 11-24).

30. Regarding claim 69, the limitation of the system for enabling the execution of a web-based application within a browser correspond to the method of claim 1 and the computer program product of claim 20, and thus is rejected using the same rationale.

31. Since all the limitations of the claimed invention were disclosed by the combination of Loomans and Herrmann, claims 1-69 are rejected.

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. King et al. (U.S. Patent Number 6,014,702) disclosed a method wherein a user at workstation uses a Java enabled browser to initiate downloading of a 3270 screen GUI applet from the GUI class library physically residing on the Web server. Once downloaded, the applet communicates with the Web server, generally by proprietary means, to initiate a host connection. The class library forwards this request to the TN3270 client through the use of an emulator programming interface such as EHLLAPI.

b. Dale et al. (U.S. Patent Number 6,272,673) disclosed a mechanism for automatically establishing connections between executable components of a hypertext-

based application is provided. An application created using the mechanism includes a plurality of hypertext-based pages, at least some of which incorporate executable components. The application is invoked by a hypertext request for a page from a browser running on a client tier. An application server responds to the request by retrieving the requested page and assigning any components incorporated therein to the proper tier for execution. Web based applications are created from conventional HTML pages in combination with certain executable "components" and a program infrastructure. The specific functions of the executable components depend upon the nature of the application. The components can be written in Java programming language and implemented as Java classes. The components are dynamically downloaded as needed when the user browses to a corresponding HTML page, and the entire application is maintained on the server side.

c. Mishra et al. (U.S. Patent Number 6,754,896) disclosed a method and system for installing software implementations such as applications and COM classes as they are needed from an external source, such as a centralized network store. When a software implementation is needed, the system and method first look to the local system and if found, returns the information such as a local path needed to use the software implementation. If the implementation is not found locally, the present invention dynamically looks to a centralized class store of a network, to locate the needed implementation. When located, the implementation is downloaded and locally installed in a manner that is essentially transparent to the user.


33. Refer to the enclosed PTO-892 for details and complete listing of other pertinent prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (703) 305-4665 or (571) 272-3930 (new telephone number after October 2004). The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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August 24, 2004